

MONTANA LEGISLATIVE HISTORY

Chapter N/A 19 74

Bill HJR 73 S \_\_\_\_\_ Original bill & history C

H. Committee on \_\_\_\_\_

Hearing Date(s) \_\_\_\_\_ C

\_\_\_\_\_ C

\_\_\_\_\_ C

\_\_\_\_\_ C

Date Out \_\_\_\_\_ C

S. Committee on Natural Res.

Hearing Date(s) 3-5 Le

3-6 ✓c

\_\_\_\_\_ C

\_\_\_\_\_ C

---

Did this bill originate in an interim committee? Yes No

Committee \_\_\_\_\_

Report \_\_\_\_\_

1974 house

## NATURAL RESOURCES --6 COMMITTEE

## 43rd Legislative Assembly

Bill No.	Subject Matter	Date In	Hearing Date	Comments	Date Out	Committee Action	Final Action
HB 1037 Seifert	Cleaning up areas of the subdivision act	Jan. 18	Jan. 31	Put in subcommittee			
HJR 57 Bennetts	Res. to preserve the historical site of Marysville, Montana	Jan. 18	Feb. 2		Feb. 5	DO PASS AMENDED AS	Killed in Senate Nat. Res. 3/4
HJR 73	Calling for thorough economic analysis is env. impact statements	Jan. 18			Feb. 19	DO PASS	
HB 922 LIEN	Require notice to surface owner prior to plugging of oil or gas well.	Jan. 21	Jan. 29		Jan. 29	DO PASS AS AMENDED	Signed by Governor
HJR 63 Lien	Urging the U.S. Dept. of the Interior to consider alternate ways of marking abandoned oil and gas wells.	Jan. 21	Jan. 29		Jan. 29	BE ADOPTED	Signed by
HJR 53 Aageson	To study weather modification and its effects	Jan. 22	Feb. 2		Feb. 5	BE ADOPTED AS AMENDED	

# 1974 Senate Natural Resources

43rd LEGISLATIVE SESSION - 1974

## COMMITTEE ON NATURAL RESOURCES

RESOLUTIONS BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CON- CURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CON- CURRED IN DATE
SJR 44	1/8/74	1/19/74	1/19/74	1/19/74					
SJR 52	1/19/74	1/24/74	1/24/74	1/24/74					
SJR 60	1/17/74	1/24/74 2/19/74	2/19/74			2/19/74			
SR 63	2/27/74	3/4/74	3/4/74	3/4/74					
SR 81	3/14/74	3/14/74	3/14/74	3/14/74					
HJR 53	2/11/74	2/26/74	2/26/74				2/26/74		
HJR 54	2/18/74	3/2/74	3/2/74					3/2/74	
HJR 57	2/12/74	2/19/74 3/2/74	3/2/74						3/2/74
HJR 58	2/21/74	3/2/74	3/2/74						3/2/74
HJR 63	2/13/74	2/19/74	2/23/74				2/23/74		
HJR 73	2/22/74	3/5/74	3/6/74				3/6/74		

(Use Separate Sheet for Senate, House Bills, and Resolutions)

MINUTES OF MEETING  
SENATE COMMITTEE ON  
NATURAL RESOURCES

March 5, 1974

The Senate Committee on Natural Resources met in the Governor's Reception Room at 10:00 A.M. The meeting was called to order by Chairman Gordon McGowan. Upon roll call all members were present except Senator Flynn and Senator DeWolfe.

Consideration of HJR 73

Representative Bob Brown, Chief Sponsor of the Resolution, stated that the purpose of the resolution is to encourage the Environmental Quality Council to provide for more economic emphasis in environmental impact statements.

Senator Cochrane asked Mr. Klinger of the EQC if they have the personnel qualified to make these analyses. Mr. Klinger stated that they have just recently hired an economist who would be in charge of such economic analyses. Senator Bollinger asked whether this will delay the approval of projects, and Mr. Klinger stated the economic analysis would be done in the same time frame as the rest of the analysis.

Senator Bennett reminded the committee that Rep. Lockrem's bill, HB 632 had just passed the State Administration Committee and this bill calls for economic impact statements.

Consideration of HB 474

Representative Gordon Swanberg presented Mr. Don Bianchi of the Fish and Game Department who showed slides taken on Spring Creek in Lewistown, which illustrate the problem which this bill attempts to correct. The slides showed the erosion caused by stream alteration. Mr. Bianchi stated the department feels it is possible to have better control of streams, and with good management agriculture and recreation can make better use of the streams.

Representative Swanberg stated that the damage shown by the slides is a common situation -- anytime you go into a stream you tend to do some damage. This problem exists and is getting worse. He stated this bill will help urban and rural people alike, in that it will provide better agricultural practices and better recreational use involving the streams. He also emphasized that most of the minor activities of farmers and ranchers having to do with irrigation have been exempted under this bill. He also told the committee that a survey had been made along six streams in 1968, and of 160 miles of stream approximately 1/3 had already been altered in one way or another, and that this problem is one that must be met by the legislature.

Eldon Smith, representing the Wildlife Federation and other outdoor groups told the committee he is happy to support HB 474 as amended.

# ROLL CALL

## SENATE NATURAL RESOURCES COMMITTEE

SECOND HALF - 43rd LEGISLATIVE SESSION 1974

Date 3/5/74

NAME	PRESENT	ABSENT	EXCUSED
Gordon McGowan, Ch.	✓		
Bill Bartsche, V. Ch.	✓		
Gordon Bollinger	✓		
Percy De Wolfe		✓	
Elmer Flynn		✓	
Jack McDonald Irene Nelson	✓		
George Bennett	✓		
Archie Cochrane	✓		
George Darrow	✓		
George McCallum	✓		
Earl Moritz	✓		

## Disposition of Bills

### HJR 73

It was moved by Senator Darrow, seconded by Senator Moritz that HJR 73 BE CONCURRED IN. Motion carried upon roll call vote - copy attached.

### HB 1010

It was moved by Senator Moritz, seconded by Senator Bollinger that the amendments be approved. Motion carried. Copy of the amendments are attached to these minutes.

### HB 969

Chairman McGowan presented proposed amendments which had been submitted by Rep. Fagg.

It was moved by Senator Bollinger that HB 969 BE NOT CONCURRED IN. This motion failed for lack of a second.

Senator Bennett moved that the amendments be approved, seconded by Senator McDonald. This motion carried.

It was moved by Senator Bennett, seconded by Senator McDonald, that HB 969 AS SO AMENDED BE CONCURRED IN. This motion carried. Roll call vote attached.

### HB 474

It was moved by Senator McDonald, seconded by Senator Moritz that HB 474 BE NOT CONCURRED IN. Motion carried upon roll call vote - copy attached.

### HB 1005

It was moved by Senator Flynn, seconded by Senator McCallum that HB 1005 BE CONCURRED IN. Motion carried. Copy of vote attached.

### HB 550

It was moved by Senator Darrow that HB 550 BE CONCURRED IN. This motion failed for lack of a second.

It was moved by Senator Moritz, seconded by Senator McDonald that HB 550 BE NOT CONCURRED IN. Motion carried - roll call vote attached.



MINUTES OF MEETING  
SENATE COMMITTEE ON  
NATURAL RESOURCES

March 6, 1974

The meeting was called to order by Chairman Gordon McGowan at 9:00 A.M.

Consideration of HB 628

Representative Tom Haines appeared in support of the bill and stated he had first developed an interest in such a bill back on November. He believes the third reading House bill is workable in its present form. The bill applies only to state lands, and Mr. Haines stated we have a duty to posterity to preserve some of these natural areas.

Steve Brown, of the Governor's staff appeared in support of the bill as amended. He stated that Rep. Bradley has worked closely with the administration in redrafting the bill. He stated the bill does not in any way affect subsurface rights, nor would a designation of a natural area affect existing use of the land. He urged the committee to give the bill a do pass.

A question arose as to whether any state revenue might be lost if a designation was made. Rep. Bradley explained that any existing use will continue under the bill so there should be no loss of revenue.

Dick Dzivi, representing Montana Railroad Association appeared in opposition to the bill. He stated that the concept was good, but that the areas should be set aside by the legislature and not by some board or by the Land Board. He stated the bill should be re-written and introduced next session, since it is impossible to amend it to make it work.

Representative Bradley asked that the committee withhold any action on HB 1014 until a decision is made in the House on SB 681.

Consideration of HB1010

Representative Francis Bardonouve stated the bill brings into the utility citing act the geo-thermal resources, in case development of such resources occurs in the near future. He stated we should have this on the books so we will be prepared for such development. He also presented an amendment to the committee, which adds a section to provide that the Department of Natural Resources shall formulate rules and regulations covering these activities.

# ROLL CALL

## SENATE

### NATURAL RESOURCES COMMITTEE

SECOND HALF - 43rd LEGISLATIVE SESSION 1974

Date 3/4/74

NAME	PRESENT	ABSENT	EXCUSED
Gordon McGowan, Ch.	✓		
Bill Bertsche, V. Ch.		✓	
Gordon Bollinger	✓		
Percy De Wolfe		✓	
Elmer Flynn	✓		
Jack McDonald Lute McKee	✓		
George Bennett	✓		
Archie Cochran		✓	
George Darrow	✓		
George McCallum	✓		
Earl Moritz	✓		



# SENATE COMMITTEE NATURAL RESOURCES

Date March 6, 1974 H. J. Res. 73 Bill No. 73 Time 9:30 a.m.

NAME	YES	NO
Bill Bertsche, V. Ch.	✓ <i>Pro</i>	
Gordon Bollinger	✓	
Percy De Wolfe		✓ <i>Pro</i>
Elmer Flynn	✓	
<del>Link McKeon</del> <i>Jack McKeon</i>	✓	
George Bennett	✓	
Archie Cochrane	<i>absent</i>	
George Darrow	✓	
George McCallum	✓	
Earl Moritz	✓	
Gordon McGowan, Chairman	✓	

Secretary, Doris J. Cox

*McGowan*  
Chairman, Gordon McGowan

Motion:

*Res. Concurred In*

(include enough information on motion—put with yellow copy of committee report.)

WHEREAS, responsibility for children's services is divided among many state agencies resulting in fragmented programs that often duplicate services and also result in fewer services reaching the children and families for whom they are designed, and

WHEREAS, no ready solution is at hand.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Committee on Priorities is requested to assign the appropriate standing committee to conduct a study of the problem of providing and coordinating child development programs specifically focusing on alternative three (3) of the 1974 Suggested State Legislation published by the Council of State Governments, and

BE IT FURTHER RESOLVED, that the committee submit a written report containing its findings, recommendations and a draft of any proposed legislation for consideration by the first regular session of the Forty-fourth Legislature.

Approved March 16, 1974

### HOUSE JOINT RESOLUTION NO. 73

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA CALLING FOR THOROUGH ECONOMIC ANALYSIS IN ENVIRONMENTAL IMPACT STATEMENTS AND DIRECTING THE ENVIRONMENTAL QUALITY COUNCIL TO ELICIT SUCH ANALYSIS FROM STATE AGENCIES.

WHEREAS, the Montana Environmental Policy Act, enacted by the 1971 Legislative Assembly, requires a full assessment of major agency actions with significant effects on the human environment; and

WHEREAS, the Montana Environmental Policy Act and the guidelines adopted pursuant to that act by the state Environmental Quality Council define human environment to include social, economic and cultural factors as well as aesthetic and environmental factors; and

WHEREAS, the act and guidelines further require a rigorous consideration of all alternative actions and the full range of their economic and environmental costs and benefits; and

WHEREAS, full economic analysis has not typically accompanied agency actions requiring environmental impact statements, thus indicating a failure on the part of the Environmental Quality Council and state agencies to fully implement the Montana Environmental Policy Act; and

WHEREAS, it is a matter of serious concern to the legislature that this enactment be fully implemented in all respects,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That all agencies of state government are hereby directed to achieve forthwith the full implementation of the Montana Environmental Policy Act including the economic analysis requirements of sections 69-6504 through 69-6514 and guidelines for fully integrated environmental and economic analysis of major actions with significant effects on the human environment; and

BE IT FURTHER RESOLVED, that economic analysis shall accompany environmental impact statements as required by the foregoing sections of the act and shall encompass an analysis of the costs and benefits to whomsoever they may accrue, including considerations of employment, income, investment, energy, the social costs and benefits of growth, opportunity costs, and the distribution effects; and

BE IT FURTHER RESOLVED, that the Environmental Quality Council is directed to monitor agency compliance with this resolution and to report to the 1975 Legislative Assembly the extent of agency implementation of the act's requirements for full economic analysis; and

BE IT FURTHER RESOLVED, that the executive director and staff are directed to fully perform the duties required by section 69-6514 to give consideration to economic goals and requirements of the state in implementation of the Montana environmental policy act; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor, the Environmental Quality Council, and all state agencies.

Approved March 16, 1974

### HOUSE JOINT RESOLUTION NO. 75

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE DEPARTMENTS OF AGRICULTURE, LIVESTOCK, AND ADMINISTRATION TO PREPARE A CONSTRUCTION PROJECT REQUEST FOR A PROPOSED NEW AGRICULTURE-LIVESTOCK BUILDING.

WHEREAS, the agriculture-livestock business is Montana's largest industry, and

WHEREAS, the present buildings housing the Departments of Agriculture and Livestock are outdated, inefficient and inadequate in terms of required space, and

WHEREAS, a combined facility would be more efficient and more economical as well as provide adequate space for departmental functions such as serving the public more proficiently and productively.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: